

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
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)	
2002 Biennial Review of)	CG Docket No. 02-311
Telecommunications Regulations)	
Within the Purview of the Consumer &)	
Governmental Affairs Bureau)	
)	

Comments of Dana Mulvany, MSW

These comments are written in response to the Commission's 2002 biennial review of telecommunications regulations pursuant to Section 11 of the Communications Act of 1934, as amended, 47 U.S.C. Section 161.

I write these comments as a hard of hearing individual, as a social worker concerned about the continuing problems of access to telecommunications products and services for people with one or more disabilities, and as a member of the public with an interest in all members of society being able to use telecommunications products to communicate effectively.

Pursuant to Section 11 of the Communications Act of 1934, the Commission is required (1) to review biennially its regulations that apply to the operations or activities of any provider of telecommunications service, and (2) to determine whether any such regulation is no longer necessary in the public interest as the result of meaningful economic competition between the providers of such service. The Commission is directed to repeal or modify any such regulations that it finds are no longer in the public interest.

Clearly people with disabilities still encounter tremendous obstacles obtaining access to telecommunications products and services, and market forces alone have not rectified this situation:

A survey conducted by SHHH this month (October 2002) showed that most respondents, all of whom had binaural hearing loss, had significant problems conducting business by phone due to the current inaccessibility of interactive voice response systems.¹ 79% indicated that interactive voice response systems had a significant to profound adverse impact on the ability to conduct business by phone. Only 1% indicated that IVR systems were fully accessible to them.

Another survey conducted by SHHH in September 2002 showed that while many people with hearing loss were able to find a wireless phone that was compatible with their hearing aid's telecoils, most were not. Because of the lack of compatibility in so many phones, a significant percentage of people with hearing loss ended up with phones that did not work effectively for them and had difficulty using their own phone in many situations, particularly noisy ones.²

There are also other problems with access to telecommunications products as well, such as access for people with soft speech and for people with visual impairments.

Ineffective access to telecommunications has a severe negative effect not only on people with disabilities but on every single person in the United States who communicates with people with disabilities.

Lack of effective telecommunications access adversely affects social service agencies, emergency response systems, federal and state agencies, family members, employers, and businesses. All entities that deal with the public need to be able to communicate effectively with people who are deaf, hard of hearing, blind, low-vision, cognitively impaired, or otherwise impacted by inaccessible telecommunications products and services, but they are hampered by the continuing lack of fully accessible products and services. The productivity of the entire nation thus suffers due to using products and services that hamper effective communication for a significant percentage of the population. It is thus very much in the public interest for the FCC to lead the nation in working on disability-related problems in telecommunications.

¹ Summary Results, Interactive Voice Response (IVR) Systems, SHHH Online Consumer Survey, October 2002: <http://www.shhh.org/Advocacy/IVRSsurveySummaryResults.cfm>

² Preliminary Results, SHHH Mobile Phone Survey, September 2002: <http://www.shhh.org/Advocacy/mppreliminarysurvey.cfm>

I urge the FCC to maintain or strengthen all the rules covered within this biennial review which affect accessibility for people with disabilities. To do so is clearly in the public interest.

Thank you for your very important work on behalf of all Americans.

Sincerely,

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